CONSPIRACY!

by John Judge

WHAT WAS DAN RATHER DOING IN DEALEY PLAZA?

"Uh - I was in Dallas - uh - the day of the Kennedy assassination - uh - to co-ordinate our coverage. Uh - my location at the time of the assassination was - uh - just past the overpass - uh - past the Textbook Depository. I was waiting for what is known in the business as a film and audio tape drop, that is, someone in the motorcade was going to drop me some material at that location."

- Dan Rather on Lou Staples Talk Show, KLRD, Dallas, 10/24/74

"From that date (November 22, 1963), it soon became clear that a sophisticated military dictatorship has destroyed our democrace and has us all in a death grip. Now let us all pray that this is a horrible nightmare."

- Penn Jones, FORGIVE MY GRIEF

The idea that a lone, crazed gunman, Lee Harvey Oswald, firing with a cheap, inaccurate weapon three times in 5.6 seconds, wounded Governor Connally in five places, wounded a bystander, and caused three wounds to President John F. Kennedy in Dallas, Texas, 1963, has not stood the test of time. A recent national public opinion poll shows that 68% of the American public believes there was a conspiracy to kill JFK, and 45% want the case to be re-opened. And CBS found in a poll that 46% of the country believe that all four major political assassinations of the last decade (JFK, RFK, King and the Wallace attempt) are somehow linked. Senator Schweiker (R-Penn) is currently looking into allegations of FBI and CIA cover-up in the Dallas murder, as part of his work with the Senate Select Committee on Intelligence. And Rep. Henry Gonzales (Tex) has over 60 sponsors on legislation to force full Congressional investigation into the major assassination plots.

Into this growing dissent and support for further action, as they have in the past, step the major news media. One of the major offender, doing biased reporting on assassinations, has been the stalwart *New York Times.**1 But such large circulation newsmagazines as *Time* and *Newsweek* do their share of distortion. Not only do they reprint misleading information, but these publications have refused in the past to print the corrections sent in by the critics. All the major media are to blame for such rapid-fire sychophantic praise of the Warren Commission's work before any of them even had time to read it, or assess the printed evidence.

But looming large in the field of newsmaking and dangerous credibility are the Ponderosa family of electronic journalism, CBS's Walter Cronkite, Dan Rather and Ike Pappas. And when public doubts about the Commission flourished in 1967, Cronkite, Rather, and Eddie Barker helped produce a series of four one-hour specials on JFK that can be seen in retrospect as pure whitewash.

CBS WHITEWASH, 1967

"Please pardon the personal reference, but it seems advisable in this instance to note that this reporter was in Dallas when Kennedy was shot, followed closely the Warren investigation, and conducted for CBS News and with CBS News' full resources an independent investigation. Then, and ever since, this reporter had defended the Warren Commission and its conclusions."

- Dan Rather, CBS First Line Report, August 10, 1973

"...enough..." - Walter Cronkite's description of circumstantial evidence suggesting Oswald's guilt, CBS, 1967

The "conclusions" of that series of specials in 1967 backed up the Warren Commission findings. Using torturous logic and selective pieces of information, CBS found Oswald guilty without trial. On a recently aired CBS Special Report, November 25, 1975, on *American Assassins.'* (different somehow from Latin American or European?), Rather reviewed the 1967 suppositions of CBS as if they were a set of established facts. With the help of visual aids, instead of hard facts, he went over them again, recanting the cant.

Did Oswald own the rifle that killed President Kennedy? Yes, said Rather, without a pause. The rifle first discovered in the Book Depository was a 7.65 German Mauser, according to reports from the Dallas police and the District Attorney. Three days later, the rifle changed into a 6.5 Italian Mannlicher-Carcano. The Commission said Oswald ordered it by mail from Kline's. The ad they reprint for evidence is for the wrong gun. The name used to order the gun was Alex Hidell, an alias they did not link to Oswald. Oswald's signature could not be linked to the post office box Hidell used. They said Oswald carried the gun in luggage too small to hold it. They said he wrapped it in a blanket in the garage of the house his wife Marina stayed at. No fibers from the blanket were found on the gun, no oil from the gun was on the blanket. The stretch marks on the blanket did not fit the gun. The photo of Oswald holding the gun on the 1964 *Life* cover was a planted, doctored photograph, pasting Oswald's head on another body.*2 Oswald was never seen with the gun, carrying the gun, practicing with the gun. Exhaustive FBI search could not establish that Oswald bought ammunition for the gun. The only bullet the Commission could link ballistically to the gun was the "Magic Bullet", Exhibit 399 (see my earlier article, "Biting the Bullet"), found miles from the scene, beneath a stretcher unconnected to the care of Connally and JFK. A mysterious man walked down a hall, bumped the stretcher, and an attendant saw a bullet fall out. The incident occurred at a time when the best evidence suggests Jack Ruby was at the Parkland Hospital in Dallas, though the Commission denies it.

Did Oswald take that rifle to the Book Depository the day of the assassination? Yes, again, claimed CBS. The Commission said Oswald made a special trip to get the gun from Marina's garage the night before, and rode to work with it concealed in a paper bag. Marina said he never had a paper bag, never went into the garage that night. Wesley Frazer, who took him to work, and others who saw the bag, all agreed on its length. It was too short to hold a gun, even broken down. It was curtain rods said Oswald; Frazer agreed. There were no fibers from the bag on the gun, no oil from the gun on the bag. No fingerprints of Oswald on the bag or the gun. Not even a bag in the photos of the floor of the so-called "sniper's nest", though police claim that's where they found it.

Was the gun fired from the Book Depository? You guessed it: yes, said CBS. There were three bullet shells lined in a neat row against the wall of the alleged nest, said Deputy Roger Craig. In the first photos of the scene they were scattered across the floor, as if fired and ejected. One of them disappeared. Two others were sent to the FBI - one so damaged it couldn't be loaded. The main witness said he looked up and saw a man standing and firing from that window. Visible in the Zapruder film in a hard hat, he never looks up. The window was open only slightly; a man standing would have had to fire through the glass. He was unable to identify Oswald in a line-up that day. Oswald's hands and cheeks were paraffin-tested and under neutron activation analysis; graphite present was too little for a rifle blast. And to fire from that window, Oswald had to have been on the sixth floor.

Where was Oswald? "Definitely in the building", says Rather, "and probably on the sixth floor." Mae Brussel, west coast researcher, found this wavering laughable. After all, if not on the sixth floor, then what are we discussing? Oswald was seen drinking a coke on the second floor ninety seconds after the shooting ended. A Dallas cop ran into the building, saw Oswald in the cafeteria, and as if on cue ran in and thrust a pistol into his stomach. The elevator wasn't in operation at the time. The only accessible stairwell from the sixth floor was occupied by Virginia Hill, who saw no one come up or down. She, and six other eyewitnesses saw Oswald on the first floor. James Altgens took a photograph of the motorcade at the time of the first shot, and a man matching Oswald's dress and facial features can be seen in the first floor doorway of the Depository, watching JFK go by. The only witness who placed Oswald on the sixth floor, a half-hour before the

murder, changed his story from initial reports he gave the Dallas police!

How many shots were fired? Rather and the Commission conclude only three. Nine wounds, three shots. Evidence of as many as nine shots that day exists! Most researchers conclude there were at least five.[1] But Rather says "three", like the political programmer in *1984*. "How many Winston, the state says three. How many do you see?" And once the media inoculated the public mind with the magic formula, the witness testimony on the scene changed pathetically to accomodate the official version. One person present told the Commission, "I heard one more shot than was actually fired"! As long as the identity and motive of the strange man who opened an umbrella in Dealey Plaza, which could have co-ordinated shots, is hidden, the car interior and photos of it remain destroyed, articles are printed about E. Howard Hunt using "silencers", and evidence of other bullets is ignored, we may never know how many bullets constitute what Secret Service agent Kellerman, riding in JFK's car that day, termed "a fillery".

Could Oswald have fired fast enough? Rather in 1975, and Walter Cronkite in 1967, both assure us that he could have and did fire "fast enough". Commission version is 3 shots, 3 wounds, 5.6 seconds. Robert Frazier, FBI weapons expert, was able to take the Mannlicher they claimed belonged to Oswald, and once bolt and pull the trigger in 2.3 seconds, without aiming the gun. Using his fastest possible time, the Commission would have us believe that Oswald fired three shots, bolt and trigger action taking 4.6 seconds. "Times to remember," said Rather on the recent CBS special, "minimum time the Mannlicher Carcano could be fired three times with accuracy, 4.6 seconds." With accuracy? No, Dan, it took 4.6 just to move the bolt and pull the trigger. That left only one second, in the 5.6 second span, to aim three shots of such deadly accuracy. One third of a second each. Fast enough?

THE TEST

"These were no ordinary circumstances - he was firing at the President of the United States". - Walter Cronkite, *CBS Special on JFK, 1967*

The Warren Commission had rifle experts at Aberdeen Proving Grounds fire the Mannlicher at enlarged, stable targets, placed half the distance and half the height away from them as actual conditions at Dealey suggest. None of the experts could duplicate the accuracy they say Oswald obtained. Maybe Oswald was just lucky. CBS's *American Assassinations* program had "eleven volunteer marksmen" fire a test to see if Oswald could have done it. They improved the conditions of the test, improved them too much. They improved the height, distance, motion, and speed. They improved the rifle, we think.

The rifle, a Mannlicher Carcano, is the worst shoulder weapon in the world. Called the "humanitarian rifle", it could hit nothing with accuracy. The batch the alleged murder weapon came from was defective, and was being recalled. In lots of 35, these guns cost $3 each. Since the original rifle, like so much other evidence, has disappeared, Rather claimed CBS used a rifle "identical to Oswald's (sic), right down to the scope." The gun the Commission claimed belonged to Oswald was in poor shape. The scope did not line up with the bullets fired. The testers at Aberdeen in 1964 had to put in three metal wedges to keep the scope straight. The firing pin was so worn it threatened to backfire. The trigger had a hair action, shooting later than intended. The scope was set for a left-handed individual, Oswald was right-handed. He doubt, then, that Rather used an identical rifle for this test. In fact his own show proves he didn't.

Speed of firing the gun varied in the test. We don't know the full results. The four men who were cited for conclusive purposes fired the gun in times ranging from 4.1 to 5.4 seconds. Obviously, as Rather noted on the show, "faster than the best time duplicated by the Commission." But a rifle identical to the Carcano could not have fired three times in less than 4.6 seconds. It wasn't identical, and quicker bolt time means more time for aiming. The test was, at best, inconclusive. Another crucial point never discussed in the show was how long did the marksmen have to line up on the moving target before firing the first shot? In the Commission version, a large oak tree would block the vision of a sixth floor assailant until, at the most, one second before the first shot is fired. Did the testers see the target moving into view for over a second before firing that first shot? If so, the test is flawed again.

The clip was used in the test to load bullets rapidly. Sylvia Meagher, in her excellent work, *ACCESSORIES AFTER THE FACT*, points out that none of the photos of the "lair" or of the Carcano show a clip on or near the gun. The appropriate clip could hold seven shots, but the Commission would have us believe that Oswald was such a good sport that he only loaded three shells into it. There is some doubt as to whether the clip was planted evidence. If so, if the gun was fired without a clip, hand-fed ammunition would increase the firing time considerably. It would easily destroy the one gun, three bullets, 5.6 seconds timing the Commission version required. And we can only guess what it would have done to the test.

Marksmen used on the test were of high caliber, with extensive firearms background. Some worked with arms every day. State troopers, ballistics lab experts, and the like were among their rank. Oswald could never have matched their accuracy. He never practiced with a gun, spent time sighting in, took one to a range. He did qualify for "sharp shooter" by two points once in his Marine career. But he got worse in later tests. He had a reputation for getting "Maggie's drawers", a military term for the white flag that pops up, indicating a miss of the entire target. And that was 1959. Without practice, and without a rifle of his own, how could he have come near their accuracy?

The results of the test were never given out in full by Rather. Those which might have supported his conclusion were aired. Two marksmen hit the target once, two hit it twice, and one expert hit the target three times. All under 5.4 seconds. Rather spoke about near misses, but that only counts in horseshoes. From appearances, the hits were not fatal shots. But maybe the misalignment and inaccuracy of that old Mannlicher would have made them fatal, or made near misses into hits. More likely though, JFK would still be alive today if it only had happened as CBS says it did. We have to assume that the other men who fired missed altogether, since Rather would have touted them along with the "near misses". That means eleven volunteer

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marksmen, firing with a clip, shot 33 bullets with only six hits. Only one duplicated the Commission's timing. But as is obvious, that was done with a better weapon. Maybe the 7.65 Mauser could have done as well, but Oswald himself is the only one who admits he saw a Mauser in that building; everyone still alive has since changed their story.

(TO BE CONTINUED)

FOOTNOTES

1. *"How All the News About Political Assassinations in the United States Has Not Been Fit to Print in the New York Times"*, Jerry Policoff, The Realist, #94, Oct., 1972, p. 27.

2. *All of* Time *magazine's protestations (Nov. 24, 1975) to the contrary, the photograph of Oswald holding the rifle has a noontime nose shadow and a three o'clock body shadow - the part of the photo* Time *clipped. When the Commission "experts" redid the photo with an FBI agent, they inexplicably and indefensibly put a paper bag over his head. The Dallas police had an excellent opportunity to plant the photo in the box taken from the Payne's garage, but not catalogued for hours. If Marina testified that she took the photo, it wouldn't be the first time she lied to the Commission; if you recall, she could have easily been deported. One of the "experts" that* Time *relies on to prove "beyond a doubt" that it wasn't doctored is FBI photographer L. Shaneyfelt. This same expert "accidentally" reversed framed 313 and 314 in the Commission reprint of the Zapruder film, thereby making JFK's head appear to go, as Dan Rather once said, "forward with considerable force". In reality, of course, it went backwards after the fatal head shot.*

3. *Robert Cutler*, Crossfire: Evidence of Conspiracy, *self-published 1975, Cutler Designs, Box 1465, Manchester, Mass. 01944.*

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In the meantime...Those who wish further information on this subject of fascist conspiracy to overthrow the U.S. can write to me at Box 1625, Dayton, OH 45401. Send $1 & 3 self-addressed, stamped, legal size envelopes. Stamps and contributions needed and gratefully accepted. (Ed. note: John Judge will be speaking on *"CBS and the Truth about the John Kennedy Assassination"* January 14th, at 12 noon at UD's JFK Union.